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UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

LOURDES DeVELASQUEZ, an  
individual, MARIA TRINIDAD  
ARMENTA, an individual

Plaintiffs,

v.

HELADO MEDINA, an individual;  
DEPARTMENT OF HOMELAND  
SECURITY, a Department of the  
United States of America; and DOES 1  
to 20, inclusive,

Defendants.

No. CV 22-4176

**NOTICE OF REMOVAL OF CIVIL  
ACTION**

[28 U.S.C. § 2679(d)(2)]

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<sup>1</sup> Admitted to practice under Local Rule 83-2.1.4.1. *See Order, In Re Application of Zakariya K. Varshovi for Admission Pursuant to Local Rule 83-2.1.4.1, C.D. Cal. No. 2:22-cm-00014-PSG (Feb. 2, 2022).*

1 **TO THE UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT  
2 OF CALIFORNIA AND TO PLAINTIFFS, BY AND THROUGH THEIR  
3 COUNSEL OF RECORD:**

4 PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. § 2679(d)(2), the above-  
5 captioned State Court action described below is removed to this Honorable Court.  
6 Grounds for this removal are as follows:

7 1. On February 22, 2022, Lourdes DeVelasquez and Maria Trinidad Armenta  
8 (“Plaintiffs”) filed a civil action against Defendants Heladio Medina (sued erroneously  
9 herein as Helado Medina), Department of Homeland Security, and Does 1 through 20,  
10 inclusive, in the Superior Court of the State of California for the County of Los Angeles,  
11 entitled *Lourdes DeValesquez, et al. v. Medina, et al.*, as Case No. 22STCV06413. Copies  
12 of the Complaint and all other pleadings are attached as Exhibit 1. The Complaint alleges  
13 that Defendant Medina negligently operated a motor vehicle causing Plaintiffs’ injuries  
14 and damages on March 3, 2020 on Laurel Canyon Boulevard in Los Angeles, California.  
15 See Compl. ¶¶ 6, 7.

16 2. This action must be removed to this Court pursuant to 28 U.S.C. § 2679(d)(2)  
17 because Defendant Medina acted within the course and scope of his employment with the  
18 United States of America at all times material to the allegations contained in the  
19 Complaint. A duly executed Certification of the Chief of the Civil Division for the Central  
20 District of California, attesting to the foregoing, is attached as Exhibit 2. This Court has  
21 exclusive jurisdiction over civil actions for money damages for injury allegedly caused by  
22 the negligent or wrongful act or omission of an employee of the United States while in the  
23 course and scope of employment. 28 U.S.C. § 1346(b).

24 3. Removal is timely under 28 U.S.C. § 2679(d)(2) because the trial of Case No.  
25 22STCV06413 has not yet commenced.

26 4. As this notice is being filed on behalf of the United States, no bond is required  
27 under the terms of 28 U.S.C. § 2408 and 2679(d)(2).

1 WHEREFORE, the action now pending in the Superior Court of the State of  
2 California for the County of Los Angeles, Case No. 22STCV06413, is removed to the  
3 United States District Court for the Central District of California.

4  
5 Dated: June 17, 2022

Respectfully submitted,

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7 United States Attorney  
8 DAVID M. HARRIS  
9 Assistant United States Attorney  
Chief, Civil Division  
JOANNE S. OSINOFF  
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10 /s/ Zakariya K. Varshovi  
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12 Assistant United States Attorney

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